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NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON
U.S. COURT OF APPEALS**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JULIAN PADILLA, aka Seal E,

Defendant - Appellant.

No. 01-50435

D.C. No. CR-99-00802-CAS-3

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Christina A. Snyder, District Judge, Presiding

Submitted November 5, 2003**
Pasadena, California

Before: HALL, O'SCANNLAIN, and McKEOWN, Circuit Judges.

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as may be provided by Ninth Circuit Rule 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

Petitioner-appellant Julian Padilla appeals his conviction under 21 U.S.C. §§ 846 & 843(a)(7). Because the facts are known to the parties they are not repeated here. We have jurisdiction under 28 U.S.C. § 1291.

We review Padilla's sufficiency of the evidence claim "by viewing it in the light most favorable to the prosecution and asking whether 'any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.'" *United States v. Blitz*, 151 F.3d 1002, 1006 (9th Cir. 1998) (quoting *Jackson v. Virginia*, 443 U.S. 307, 319 (1979) (emphasis in original)).

The evidence presented to the jury was more than sufficient to establish that Padilla knew that the freon he distributed would be used for methamphetamine production. Accordingly, we affirm the district court.

AFFIRMED.